

### **REMARKS**

This responds to the Office Action mailed on January 6, 2006, and the references cited therewith.

Claims 1, 6, 8 and 11 are amended and claims 13-18 are canceled; as a result, claims 1-12 are now pending in this application.

### **Affirmation of Election**

Restriction to one of the following claims was required:

As provisionally elected by Applicant's representative, **Janal M. Kalis**, on October 17, 2005, Applicant elects to prosecute the invention of Group I, claims 1-12.

The claims of the non-elected invention, claims 13-18, are hereby canceled. However, Applicant reserves the right to later file continuations or divisions having claims directed to the non-elected inventions.

### **Information Disclosure Statement**

Submitted herewith is an Information Disclosure Statement, PTO 1449 and cited reference.

### **§112 Rejection of the Claims**

Claims 1-12 were rejected under 35 U.S.C. § 112, first paragraph, as lacking adequate description or enablement. The Examiner has objected to the use of the term "sliding space" in claim 1. Paragraph 23 of the application states the following:

"The stand and container 10 is elongated by moving the component panels 14 and 18 away from each other. The stand and container 10 are shortened by moving the walls 14 and 18 toward each other." The movement of the panels 14 and 18 is the "sliding space."

“The paragraph also state, “In the embodiment shown in FIG. 7, the sliders 86 and 88 and 80 and 82 are rotatable about the foldline that separates the sliders from the wall with a flange.” The space of rotation is a “sliding space.”

The application describes component panels 14 and 18 that can be moved away from each other. The resulting spacial change is the “sliding space.”

Claims 1-12 were rejected under 35 U.S.C. § 112, second paragraph, for indefiniteness. The Examiner has objected to the phrase “the main body expands and contracts as the panel of the first component is moved farther from and closer to, respectively, the panel of the second component.” Paragraph 29 and FIGs 9 and 10 illustrate and describe “a container 100 with metal legs 102 that are extendable as shown in FIG. 9 and retractable, as shown in FIG. 10. A second container with a bladder containing liquid is positionable within the container 100.” This section of the patent application and the figures show that “the main body expands and contracts as the panel of the first component is moved farther from and closer to, respectively, the panel of the second component.”

The Examiner has objected to a reference in claim 6 to “surrounding surfaces.” The Applicant has amended claim 6 to remove reference to “surrounding surfaces.”

The Examiner has objected to claim 11. The applicant has amended claim 11 to refer to “The stand.”

#### §102 Rejection of the Claims

10. Claims 1-3 were rejected under 35 U.S.C. § 102(b) for anticipation by U.S. Patent No. D448,625 S to Moffett, III et al. Claim 1 has been amended to cancel “main body” and insert “blank.” Support for this change is shown in FIG. 8, which illustrates a blank. The Moffett, III patent does not show or suggest a use of a blank foldable to form at least a first component and a second component.

#### §103 Rejection of the Claims

Claim 4, 5, 6, 7, 11, 8-10, and 12 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Moffett, III et al. in view of one or more of Canfield, White et al., Purvis,

Johnston, and Schmelzer. As discussed above, the Moffett III reference does not show or suggest a blank foldable to form at least a first component and a second component. None of the other references cited by the Examiner have this feature either. Thus, Applicant asserts that the Examiner has not shown that the claimed invention embodiments are obvious.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6976 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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By their Representatives,

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Date 6 June 06

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being filed using the USPTO's electronic filing system EFS-Web, and is addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 6<sup>th</sup> day of June, 2006.

PATRICIA A. HULTMAN

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Name

  
Signature